

# Kramer Levin

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May 13, 2020

## Via ECF and Email

The Honorable Victor Marrero  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

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Re: United States v. Pedro Hernandez, 19-CR-169 (VM)

Dear Judge Marrero:

On behalf of defendant Pedro Hernandez, we respectfully submit this unopposed letter motion seeking to modify the bail conditions set by the Court's March 30, 2020 order (Dkt. No. 163). Among other things, the Court's order, which was proposed and consented to by the parties, required defense counsel to file each week a status update letter informing the Court of the defendant's status and health. While this condition served a purpose when Mr. Hernandez was first released to the shelter system – *i.e.*, before he had obtained a phone or was fitted with an electronic bracelet, and before the exact nature of his living situation could be ascertained – in the six weeks since his release, circumstances have changed such that counsel's weekly status letters are no longer necessary. As previously reported, soon after his release, we provided Mr. Hernandez with a phone, which he has been using to stay in regular touch with counsel and Pretrial Services. Last month, Mr. Hernandez was fitted with an ankle bracelet by Pretrial Services and moved into a private room at a hotel provided by the shelter system. His living situation has become stable and, with the permission of Pretrial Services, we now are seeking to enroll Mr. Hernandez in an outpatient program that provides mental health therapy, drug treatment, and reintegration services. Of course, Mr. Hernandez remains in regular contact with Pretrial Services, and to the extent any issues arise, Pretrial will advise counsel and, if necessary, the Court, per the terms of the release order.

We have discussed this application with the government, which does not object to removal of the weekly status letter condition.

The Honorable Victor Marrero  
May 13, 2020



We thank the Court for its consideration.

Respectfully submitted,

/s/ Darren A. LaVerne

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